

## BOARD OF MAYOR AND ALDERMEN

**April 17, 2001**

**7:30 PM**

Mayor Baines called the meeting to order.

The Clerk called the roll. There were thirteen Aldermen present.

Present: Aldermen Wihby, Gatsas, Levasseur, Sysyn, Pinard, O'Neil, Lopez, Shea, Vaillancourt, Pariseau, Cashin, Thibault, Hirschmann

Absent: Alderman Clancy

3. Presentation by Gary Long, a member of the MDC Board of Directors, seeking approval to proceed with funding to hire a consultant to develop the City of Manchester's Web site.

Mr. Long stated one of my assignments as a member of the Board of the Manchester Development Corporation was to assist the City in the advancement of it's Web site...I've been working with the City's Web Site Steering Committee which includes Diane Prew and Jane Hills and many others. We've been working for several months for the goal of advancing the City in the operations of the City through use of technology, advancing the City in its connection to the community, advancing the City as a good place to live, visit and do business. We've come to the point in our review that we felt that we needed a boost for professional development to help develop a new Web site for the City. We've issued RFP's, we've interviewed several candidates, we've narrowed it down to four firms and interviewed them personally and have come to a point of recommendation that I'd like to ask for funding tonight. The Manchester Development Corporation has taken up this matter and has been getting monthly reports on our progress. Last Friday, April 13th, the Manchester Development Corporation has voted to fund professional assistance in developing the Web site for Manchester up to an amount of \$50,000. We have chosen what we believe is a very good and experience Web site developer who can do that within that price range and was the low-bidder. What we are asking for from you tonight is to give the Manchester Development Corporation authorization to spend up to \$50,000 for that purpose. We anticipate that it would be about a four or five month effort to bring the City a new Web site, to plan out that Web site, to interview the departments that are involved, to integrate the Web sites of the City and the uses of the City to develop an economic development site and to position the City so that it can grow in that area in the future as it sees fit and to train and familiarize the City departments, particularly Information Systems to maintain it on a going forward basis. I'd be happy to answer any questions, if you'd like.

Alderman Thibault stated serving on the GMDC with Alderman Sysyn, your Honor, we are well aware of what Gary has been involved in for the last several months in trying to get this on-line and we really believe that it is going to help the City to promote any of the development that we are trying to do here in this City and I would just hope...and this by the way is MDC money, it is not coming out of our budget over here, this is money that has already been allocated to GMDC, so we're spending \$50,000 of the GMDC money and not City and I want everyone to understand that. I really believe and hope that everyone will support this because I think it's a great effort in promoting the City to go forward as it has during the last several months and moved to authorize expenditures of up to \$50,000 for this purpose. Alderman Sysyn duly seconded the motion.

Alderman Sysyn stated it is going to be a good thing for the City and I fully support it and I hope everybody else does.

Alderman Vaillancourt stated I didn't think we were supposed to be asking questions. You say, you took bids on this and the lowest bid was presumably in the fifty thousand-dollar range.

Mr. Long replied yes, a little less than that but we provided for a contingency.

Alderman Vaillancourt stated I admit to being one of the least proficient people when it comes to Web-site and Internets and things, but \$50,000 will get us exactly what.

Mr. Long replied it will get us professional assistance to develop a master plan to interview departments and assess their needs, to design a web site, to build a web site, to turn over the web site development tool to the City for its ownership and continued use and expansion.

Alderman Vaillancourt stated you do have those bids...should we be allowed to see what the bids came in at.

Mr. Long replied I don't know what the confidentiality agreements are. I can tell you that of the four finalists all of the other bidders were in excess of \$100,000.

Alderman Lopez asked could you tell me that after this is all completed and the web site is there, can the department heads then update their own information or is it going to take a special person to do this.

Mayor Baines stated why don't we have Diane Prew join in...that's a good question because part of the decision-making process was to make sure that we were left with a product that we could actually take ownership of and work with it to be able to keep it up-to-date.

Mr. Long stated if I could answer that question and ask Diane to expand if she'd like...Alderman Lopez, I am the person responsible for the development of the PSNH Web site and two of our sister companies, so I've had quite a bit of experience in developing web sites and what you just said is very, very important. It's very important that the different departments feel ownership, that the different departments are involved; that the different departments be allowed and required to put their own content in there and to maintain it for accuracy. So, it's very important to us to find a consultant that could work with the departments and that could develop a tool that could be used very easily by all the City with the assistance of Diane's group.

Mayor Baines stated while Diane is getting ready to answer...we started this pothole notification program to show you how people would use the information...30 to 40 a day reports that are coming in and still coming in using this tool and eventually we are going to be able to move to allow citizens to pay their taxes and other fees over the Internet; that is the ultimate goal and that will be attainable after we do this first step, Diane.

Ms. Prew stated the software that we are looking at will definitely be a tool that the departments will be able to easily use. They will be able to update their schedules...one of the things we'd like to see out there is that scheduling would be kept current. One of the most important things when you have a web site is that the information is current and in order to keep it current you have to provide people an easy way to do that. What we are looking at with these tools will do that for the departments.

Alderman Lopez stated people in department's now without increasing in grades and everything are capable of doing something once everything is set up, is that what you're saying.

Ms. Prew replied yes.

Alderman Lopez stated without getting other people to do this.

Ms. Prew replied well, it's going to have to be made in the departments, it will have to be made part of someone's job that they have to do this on a regular basis to keep it up-to-date. There is certainly effort involved in it and the web site will be as good as the effort that we put into it.

Alderman Gatsas stated I assume, I will hope that this system is HTE compatible.

Ms. Prew replied yes, it will be able to support the tools that HTE has to make its databases web-compatible.

Alderman Gatsas stated it's not going to take three years to implement.

Ms. Prew replied no, it is not.

Mayor Baines stated we will actually have a good site up and running in about three to four months.

Mr. Long stated yes. And, it's important to us, as I mentioned earlier, the City has the tool to expand on its own after that. What we didn't want was an on-going fee as you do sometimes when you license to buy software you pay an on-going monthly fee and there are other good products, other good vendors, but we really didn't want to incur costs that go on and on and on.

Alderman Gatsas stated, Gary, I don't think you want to commit to that because you don't know HTE.

Mayor Baines stated we explored it with HTE and basically explain how that works.

Ms. Prew stated we did explore it with HTE. What the tools that we are purchasing will provide a framework in order to view the applications that HTE has. The technology will be totally HTE for those applications that access HTE databases and for payments of utility bills and tax bills; that will actually run on a separate computer...a lot of that for utility billing and several other applications is already in place with HTE. So, that part of it is not complicated to put the two pieces together, working out the details for transactions that will be a little bit more complicated.

Mayor Baines stated Mr. Clougherty made us to our due diligence on that and we did follow through on that and we got a positive response.

Alderman Levasseur asked why is it that the MDC has to spend \$50,000 of its economic development money for something that the City is using, don't we already have a web site in place that we are already up and using.

Mr. Long replied you do have a web site, it is not a very extensive web site (to say it politely). Really, to bring the City up to a point where it has a framework that it can house City applications presumably get efficiencies with City operations and from an MDC standpoint we want to promote the City as a good place to live, work and do business. It's hard to do that with the City's current web site, in fact, it's impossible do it. So, why did the MDC do this is basically...it's a little bit out of what we normally do because we normally make investments that get a return. This investment would not get a financial return to MDC, but MDC still very much wanted to do it because it would move Manchester up to a higher level on the technological scale, so that other things that

we want to do there's a place to do it...maybe advance the civic center, maybe advance different business opportunities or different businesses within the City, this is a little out of character for MDC, but the reason is just so we can get to the next step in technology.

Alderman Levasseur stated so MDC will be having control over this web site, but the actual City Hall and the different departments are going to be able to use that.

Mr. Long replied no, MDC will not have control...think of it as a service, think of it as a gift that I'm lending my personal time (free-of-charge) to assist and advise the City in what I know are good development techniques...the way I look at projects they have a beginning and an end, so for me the project will end when the site is delivered to the City, I'm out of the picture and MDC is out of the picture and Diane and the rest of the City departments need to keep the thing going and advance it. Now, I'm sure MDC will have ideas for uses, but we won't control it. It's not our product; it is something that we're helping the City have.

Alderman Levasseur stated so the cost is estimated at \$50,000 and what is going to be the operating cost on a yearly basis.

Mr. Long replied the Internet operating costs depends in part on how much volume you get and what you have for a server and control it. What I look at it is to really do a nice job you have to have at least one person in the City, in the Information Systems area who is focused on this, so there might be some personnel costs...not large, but it's really as far as you want to go. For our company we look for web applications that improve efficiency, so presumably you can get some savings and operational efficiency or other gains in the City, but maybe Diane could address some of the infrastructure costs.

Ms. Prew stated I think one of the things we need to keep in mind is that a web site is something that is going to go on, it's an on-going project. It's not something after it's in place we can just go away and forget...the opportunities will continue to develop. Certainly, with HTE and the transaction processing there are some costs associated with that. The tools that we're actually acquiring to maintain the web site there are no on-going licensing fees with that. From time-to-time we may want to have the services of the consultants to assist us, we may at some point in time want to give the web site a little freshening up, a little different look. In terms of the equipment, we have the server for the web site is on-site now where the current web site is residing...the on-going maintenance with that is a question of my staff, they are maintaining that web site now and will continue to do that.

Alderman Levasseur asked is Grolen currently the web site we have at this time.

Ms. Prew replied no, Grolen is not running the City's web site. Grolen is supporting several of the departments...I believe the Police Department's web site is currently on Grolen. We would be looking to move those probably onto the City's server and be able to eliminate those costs.

Alderman Levasseur stated that was the point of this whole questioning. You're going to take that upon yourself with the people that you already have in the City and already have on staff and do this ourselves instead of having to pay an outsource fee for this. How about now that we're bringing this big web site on there have you already included that in your budget projects.

Mayor Baines replied no, we didn't. We obviously wanted to get this off the ground, this phase of it or the next budget process or if we're unable to do something as this budget process goes along in terms of providing some additional assistance and information services, we might need to address it at that time. A couple of thoughts...the thrust of MDC Is the economic development aspect of this in promoting opportunities to come to Manchester to establish businesses in Manchester, Hackett Hill is going to be another focus of it as we begin to market that property and also people trying to come to Manchester to go to the civic center...how do you get here.

Alderman Levasseur asked are we going to sell advertising on that, your Honor.

Mayor Baines replied no, nothing commercial on it.

Ms. Prew stated we will be looking for assistance in terms of a Web Administrator, this is going to be labor intensive, there is a lot of coordination that is going to go on and we do not have that resource on our staff, right now.

Mayor Baines stated yes, we understand that.

Alderman Shea stated I want to thank Gary for donating the time, it's really appreciated and members of the Manchester Development Corporation, I think, it's a super idea and I thank Diane too. I think we're very fortunate to have people like you, Gary, in the community that are willing to give up your time and members of the Development to do that type of work. I think it will be a wonderful addition and help to the City and thank you very much.

Mr. Long stated thank you very much, Alderman Shea. I just want to say that the departments in the City have been highly cooperative and enthusiastic about this and that really makes it a lot easier too.

Mayor Baines stated this has been well over a year in the works...we went down a couple of paths and stopped and regrouped and we appreciate being at this point tonight.

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

### **CONSENT AGENDA**

Mayor Baines advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

### **Minutes Accepted**

- A. Minutes of meetings held on August 7, 2000 (two meetings); August 8 & 22, 2000; September 5, 2000 (two meetings); and September 19, 2000.

### **Informational - to be Received and Filed**

- D. Copy of a communication from the State of NH, Dept. of Transportation advising of contemplated awards.

### **Accept Funds and Remand for the Purpose Intended**

- E. Communication from the Deputy Finance Officer advising of the receipt of a donation in the amount of \$3,000.00 from IKON Office Solutions and Still's Power Equipment, Inc. towards the purchase of a Police Canine dog.

### **REFERRALS TO COMMITTEES**

#### **COMMITTEE ON FINANCE - BUDGET DISCUSSIONS**

- F. Communication from the Aggregation Administrator recommending that the FY2002 appropriating resolution relative to the Aggregation Program be amended to \$795,010.00.
- G. Communication from the Chief Sanitary Engineer recommending that the FY2002 appropriating resolution relative to sewer user rental charges be amended to \$13,107,513.00.

#### **COMMITTEE ON FINANCE**

- I. Communication from Angela Taurasi a 7th grader from McLaughlin Middle School seeking financial assistance in reaching her goal of \$5,000.00 in order to participate in the NH People To People Ambassador Program to travel to Australia this summer.

**J. Resolutions:**

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the 2000 CIP 511500 Park Improvement Program."

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Nine Thousand Two Hundred and Sixty Five Dollars (\$9,265) for the 2000 CIP #710200 Intersection Improvement Program."

"Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Seven Thousand Eight Hundred Sixty Eight Dollars (\$27,868) for FY2001 CIP Health Department Projects."

**REPORTS OF COMMITTEES**

**COMMITTEE ON COMMUNITY IMPROVEMENT**

**L. Recommending that requests to accept and expend funds for various projects be approved as follows:**

- 1) FY1994 South Willow Street Area Improvements (adding \$9,417.00 from Walmart Corporation);
- 2) FY2000 Park Improvement Program – Bond (adding \$25,000 in private donations);
- 3) FY2000 Intersection Improvement Program (adding \$9,265.00 in developers fees);
- 4) \$38,880.00 for FY2001 Tuberculosis Control;
- 5) \$47,842.00 for FY2001 Lead Poisoning Prevention;
- 6) FY2001 220501, Refugee Health (increasing Overhead by \$5,000 and Other by \$3,000.00 due to the award of additional grant funds);
- 7) \$36,610.00 for FY2001 STD Clinic;
- 8) \$48,802.00 for FY2001 HIV Prevention Services;
- 9) \$28,900.00 for FY2001 HIV Counseling & Testing;
- 10) \$71,536.00 for FY2001 Immunization Services; and
- 11) \$10,000.00 for FY2001 Building Department Archive Project.

and for such purpose amending resolutions and budget authorizations have been submitted.

**M. Recommending that the completion date for FY2000 CIP #640200 Project Greenstreets-Cash be extended to June 30, 2001, and for such purpose a budget authorization has been submitted.**

**O. Recommending that the Security Manager be authorized to utilize \$126,000.00 of the \$215,000.00 FY2002 appropriation, reflected under 330501 School Capital Improvement Program in the proposed budget and included in the expedited projects, to pay the balance of the contract with G. A. Laflamme for School Security Improvements to be completed.**

The Committee further recommends that the balance of \$89,000.00 be held until the proposed School Security Improvements Project is approved by the Board of School Committee. Following approval by School for the proposed improvements, a budget authorization shall be submitted to the CIP Committee.



- P. Recommending that the Chief of Police be allowed to place an order for two (2) vehicles not to exceed \$50,000.00 with this year's State Bid, utilizing FY2002 Motorized Equipment Replacement funds; and further that the remaining request for six (6) additional vehicles be referred to the FY2002 operating budget discussions.

**HAVING READ THE CONSENT AGENDA, ON MOTION OF ALDERMAN O'NEIL, DULY SECONDED BY ALDERMAN WIHBY, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED.**

- B. Communication from the Finance Director updating the Board on a recent meeting held on March 22nd between City officials and representatives of Riverfest.

Alderman Shea stated I'd like to ask Kevin a question if I may. Kevin, are we requiring that the School District pay interest to the City on overdue accounts.

Mr. Clougherty replied yes.

Alderman Shea stated oh, we do require that. Because the Riverfest Committee owes the City over \$10,000 for consistency purposes are we also asking them to pay interest as well.

Mr. Clougherty replied there hasn't been a motion by the Board to that affect, Alderman, so we're not.

Alderman Shea asked would it, in your judgment, be more consistent if we were to ask them to pay interest if, in fact, we are charging either district or department.

Mr. Clougherty replied we could certainly calculate that.

Mayor Baines stated unless someone is willing to make a motion we'll just leave that.

Alderman Shea stated I think for consistency sake, your Honor, if we are charging one department they may have some sort of regress if another group who owes money to the City, a substantial amount...\$10,000 and we decide that we don't want them to pay and moved that the City charge Riverfest interest.

Alderman Vaillancourt duly seconded the motion.

Alderman Wihby stated when we charged the School this Board remembers they were being charged or were going to be charged and what we did (with my motion) was relieve

them of paying \$300,000 in back interest because we had to notify them and at that point we gave them, I think, was 60 days or 90 days to pay it up or we'd start charging them. So, we should at least do the same with Riverfest. At least, let them know that we are going to start charging them after a certain time.

Alderman Shea stated I agree with that and should treat them the same.

Alderman Levasseur stated I think by statute the City is required to charge interest on the School side otherwise I don't think we would have ever charged them for interest and the Riverfest Committee...I've been on that for the last couple of years and we agree that they seem to be short funded each time, but you have to agree that they do bring a lot of livelihood to the City of Manchester and I think that by sending them that kind of message of charging them interest isn't really in the best interest of what we're trying to do to promote the Downtown area.

Mayor Baines stated just a couple of statement of facts...these are volunteers in our community that devote countless hours to bring a lot of people here and they need all of the support from the City that they should provide and I would ask people to keep those facts in mind.

Alderman Shea stated I agree, but I'm just saying that possibly there might be a better way for them to work out their financial obligations from year-to-year. I think that we have been, obviously, patient with them and I think this is probably the third or second or third year, so we should try to encourage them.

Mayor Baines interjected I am going to ask Mr. Clougherty to speak because we've had extensive conversations with these people and we need to be as supportive of them as possible.

Mr. Clougherty stated the Mayor and I did meet with the Riverfest people. What we originally wanted to do was to question some of the numbers and try and reconcile some of the reports that we saw in the paper regarding their attendance figures versus their financial statements. In my letter that's on the agenda tonight...Riverfest said there are really three reasons why they've been experiencing some problems and the major one is with their private fund raising and the Mayor made a commitment at that meeting to work with them, to try and energize their fund raising for this year so that the City would not be in the position of having the recurring situation and to my knowledge there is going to be a meeting scheduled with the Mayor and with their advertising to take care of that.

Alderman Shea stated we have to remember that this is taxpayers money that we are paying them. Even though they are volunteers we are using taxpayers money to carry them from year-to-year, so that's quite important in terms of our consideration.

Alderman Lopez stated I think the motion ought to be defeated for the simple reason that if we start doing this and the volunteers that are doing something for the City of Manchester are just going to back off and to give you another prime example...I remember one year we did the Christmas Parade on Elm Street and we were \$3,000 in the hole, so if you're going to start taxing that...it's not money like the School Department. These people go out and try and raise it. They do pay it every year, so to start taxing them on something that they are providing the City, I think would be wrong.

Alderman Vaillancourt stated I don't think anybody is talking about taxing them. I think the proposal is to charge interest at, I would assume, the lowest rate conceivable and obviously if they do succeed in the fund raising efforts that you envision that it would be wonderful and they wouldn't be charged the interest. This is simply a matter of putting equity to the situation...not meaning to denigrate anything they do and I would go along if Alderman Shea would be willing to amend his motion by giving them 60 or even 90 days...whatever Alderman Wihby thinks is fair, I would certainly be willing to amend the second.

Alderman Shea stated I don't mind if we give them some sort of warning or advice saying this particular situation has been going on for a couple of years now and ask them if they would work with you and I can remove my motion because it's obvious that it's not going to pass, but we should just try to work with them in order for them to obtain enough funding because every year they come back and they want money.

Mayor Baines stated I would prefer if you would withdraw this motion and the fact that we have met with them...they are very much committed to paying this. They want to pay this bill, it's the first bill they are going to pay...we're going to work with them, we're going to go out and visit sponsors, we're going to talk to people in the Chamber, talk about the economic advantages of what this event brings to the community...again, I just don't think this is the right message for our volunteers.

Alderman Shea withdrew his motion.

Alderman Thibault stated I would have to agree with Alderman Lopez. Here we are in the community, we are trying to get things moving, we're trying to get volunteers to get involved to bring people into the Downtown and to show what we're doing here in the Downtown area and I think your right, your Honor, that it would send a terrible message to volunteers who are people that try to do things for this City. I would certainly be against it a thousand percent.

Mayor Baines stated I appreciate your withdrawing that too, Alderman Shea.

Alderman Vaillancourt interested point of order. If a motion is withdrawn does not a second...

Mayor Baines stated I thought you had agreed to withdraw it as well.

Alderman Vaillancourt replied I hadn't.

Mayor Baines asked would you agree to withdrawing it.

Alderman Vaillancourt stated I would agree with the one caveat, it's obvious that Alderman Thibault agrees with your opinion so it is obvious that you didn't express facts, but expressed opinions. So, I would withdraw my second with that caveat and would reiterate the rule that the Mayor shall not express opinion.

Mayor Baines stated I appreciate your sharing those thoughts with us.

- C. Cards of thanks from the Manchester Fire Department, Manchester Professional Firefighters Association - Local 856 and the Manchester Firefighters' Memorial Fund extending their appreciation to the City for its recent expression of sympathy and support upon the recent death of David Anderson and fallen members of the department.

Alderman Hirschmann stated I want to thank the public this week for their sympathy for my wife, Bette. Item C is in reference to appreciation cards for David Anderson and that was my wife's brother and that did contribute to her condition this week. I thank the Manchester Professional Firefighters Union, the Fire Department and everyone involved whose memorial cards for David Anderson are greatly appreciated.

Alderman Wihby asked how is your wife doing.

Alderman Hirschmann replied she's doing very well. She's in a room where she can't get Channel 22.

Alderman Hirschmann moved to receive and file Items B & C. Alderman Wihby duly seconded the motion. There being none opposed, the motion carried.

- H. Communication from the Public Works Director requesting an appropriation of \$33,000 from contingency to the Building Maintenance Division operating budget to cover PSNH costs in connection with French Hall.

Alderman Gatsas stated I just looked at these numbers and it looks like for four-and-a-half months Public Service Company of NH...the bill has been \$26,000 which is \$5,800 a month and the estimate for three months is \$7,000 and I was just wondering if somebody can explain why there's such a discrepancy.

Mr. Thomas replied the bills that have been accrued to date were to keep the heat on in French Hall. French Hall has two types of heating systems...electric and then the individual rooms are supplemental and then the hot water system for the remainder of the building, but it was decided when we took it over where the building wouldn't be manned all winter that electric heat at a bare minimum in the classrooms would be sufficient. Estimates going forward was just that till the end of June.

Mr. Clougherty stated on this item we spoke to the Mayor today and asked if it could be tabled, not because we have any question with respect to the justification for the \$33,000...we have been receiving some additional indications that there will be some need for Welfare to hit contingency this year. They're experiencing an increase because of what's changing in the economy, they're seeing rates for rooms increasing...the issue that we have is right now there is a balance of \$98,735 in contingency. We've already talked about earmarking some of that for Fire and we're also dealing with this \$33,000. What we like we'd like to do is table it just till the next meeting, so that we're able to work with Welfare and come back at one time and provide a recommendation to the Board. The problem I have is that if Welfare is going to need more than what we have in contingency if we take these actions tonight...welfare services really have to come out of contingency...this item might be something that we can use from some other account and, therefore, making sure we have the availability of dealing with the whole picture.

Mayor Baines stated this should be referred to Finance and deal with it there and also we concur...we have to get this money to this department by the next meeting and we're going to look for some other sources to try to deal with this because we do have that Welfare situation we're trying to get a handle on.

Alderman Hirschmann stated when we purchased this property we also incurred some revenues...the antenna leases. If the antenna lease money could be applied to the heating it would be a wash and we wouldn't have to get it out of the general funds.

Mr. Clougherty stated the antenna money was included as part of this year's budget as a general revenue and, therefore, would have to go through a separate appropriation process to make that available. The problem that we have here is not on the revenue side, it's the appropriation side trying to make sure that we're making funds available from one of the different appropriation line.

Alderman Hirschmann asked does anyone understand that.

Mr. Clougherty stated let me clarify. Welfare...the items that Welfare may need assistance with are not the type of items that you can go into other accounts for, it doesn't deal with economic development, it's not bondable, it isn't a CDBG-type of thing. So,

what you're left with is contingency as perhaps one of the few areas where we can provide some relief to Welfare. If you go ahead and use that money tonight, we may not have enough from what I'm hearing to deal with their issue at the next meeting. We could perhaps use some other sources to deal with Frank's issue from some of those other areas that I just mentioned. What we want to do is get a fixed number from Welfare. If, in fact, their number isn't as large as they've indicated it might be then we'll be able to come back at the next meeting and perhaps use contingency for all of this. But, until we know what that number is from Welfare you're really speculating.

Alderman Gatsas stated as a follow-up to Alderman Hirschmann's question. Mr. Clougherty, in what department did those revenues fall to.

Mr. Clougherty replied it just falls into the general fund revenue. It was in the MDC budget for Jay Taylor's department. It was considered a general fund revenue.

Mayor Baines asked are you all set, Alderman, I don't want to leave you in a quandary.

Alderman Gatsas replied no, but I will certainly ask him to assist me if I need further explanation because I don't think I remember that being there.

Alderman Levasseur asked I'm wondering, Mr. Clougherty, are we somehow held responsible for the deficit of the Welfare Department by statute or is that just something that we assume on a regular basis. I don't believe last year we went into our contingency all the way, so I'm new at that question as far as these two debts.

Mr. Clougherty replied we are required under State law to provide Welfare assistance to those in need and we haven't had to...the Welfare budget is one of those that is sensitive to the economy and we've had a great economy.

Alderman Levasseur stated my next question would be then would we be statutorily bound to go with PSNH, you would have to go in a priority order, would that be correct. Obviously, Welfare would come first.

Mr. Clougherty stated I don't think we're trying to change priorities, we're just trying to match up funding sources...

Alderman Levasseur asked is there going to be enough money is what I am pretty much trying to get to.

Mayor Baines interjected yes, absolutely. It's just a matter of the sources and where that money is going to come from. We may not want to take this out of contingency because of the situation, we may pick it up with some balances in some other accounts and we're

just asking for a delay of two weeks and we're going to ask for a referral to Finance and then we'll table it there.

Alderman Wihby asked does the shortage have anything to do with overexpending part of the budget due to circumstances over there.

Mayor Baines replied no.

On motion of Alderman Shea, duly seconded by Alderman Pariseau, it was voted that Item H be referred to the Committee on Finance.

Alderman Wihby asked can we address Item Q because it changes Items K & N.

**Report of the Special Committee on Riverfront Activities and  
Committee on Community Improvement**

- Q.** Recommending that recommendations from the Public Works Director relative to the reallocation of funds up to the total bond appropriation of \$4,000,000.00 for Riverfront Development Activities, as enclosed herein, be approved.

Alderman Wihby stated if you turn to Item Q there are four recommendations on the report. Number four is basically talking about a Parking Reserve of \$1.4 million and would like to change that, your Honor. We heard testimony yesterday about roofs from School Board Member Herbert. My simple conclusion here is if we take that \$1.4 million, we could use it for a number of different items that I think we heard yesterday. \$1.2 million of that could be used for taking care of the school roofs to include: Parkside, Central, McDonough, Hallsville, Wilson, Northwest and Hillside and Southside. So, it's all over the City, it's a \$1.2 million request that wasn't funded. So, that would be part of \$1.4 million. There are a couple of other projects that I would also hope we would fund which is Phase II at Northwest which is a Parks Capital Improvement Program and also Webster Phase II. What we heard yesterday was that that is a \$300,000 number, so that would bring the \$1.2 million plus \$300,000 and also, your Honor, I know Alderman Gatsas has a recommendation for Derryfield that he can speak about in a few seconds that if we put \$150,000, we could take care of some problem over there. So, I know that that adds up to more than \$1.4 million, it adds up to \$1.650 million, but I think we headed in the right direction if we can make those different decisions, push those forward, take the money out of the Parking Fund and...it's not passing CIP today anyway, so looking into the CIP...we'll be looking to either come up with the two fifty some other way or maybe it would add \$250,000 in bonding, but I think it takes care of the 10 roofs that we have to put in, takes care of the Webster and the Northwest Phase II's, we've wrecked half the school and we're leaving it without fixing them and also if Alderman Gatsas can talk about Derryfield and the \$150,000 and what that means for over there, your Honor, I think it's a better use.

Mayor Baines stated you do have a memo that I've distributed to the Board because we've been discussing this since last Friday when Mr. Clougherty brought us some information about that particular bond which will be expiring in a relatively short time; that was new information for us on Friday and...so that is why we're supporting this approach, as well.

Alderman Thibault asked on the list of schools you named did you include Parkside.

Alderman Wihby replied Parkside is the biggest out of \$1.2 million, it's \$740,000. There's also Central in there, Wilson, Northwest, Hillside and Southside and they would also fix the Parks Capital Improvement for Northwest and for Webster and maybe you can let Alderman Gatsas go next, your Honor.

Alderman Gatsas stated there is federal funds available for Derryfield Park and I believe that that number available for funds is \$650,000, if we put up \$150,000. So, I think it would be advantageous for us to take advantage of those funds, it will allow us to...there is no playground equipment there now at all. Everything has been removed, the tennis courts are in deplorable condition, there is no parking so the seven or eight hundred thousand dollars...\$650,000 is coming from the Feds, we might as well take that advantage to get that...

Mayor Baines stated, Alderman, just a clarification. My understanding is that is not a sure thing if I remember that. It's an application...we've got our fingers crossed.

Alderman Vaillancourt stated I'm glad to see that we are putting schools ahead of riverwalks and I'm also glad to see in a sense that you came up \$250,000 short because I was going to propose that we not take the \$400,000 that we heard so much about last week with that section of the Riverwalk that we have received communications from Michael Hickey, Chairman of the Board of Verizon and from Robin Comstock the CEO of the Manchester Chamber of Commerce...

Mayor Baines interjected a correction; Mr. Hickey is the Chairman of the Board of Directors of the Chamber.

Alderman Vaillancourt stated I am just reading from the letter that he sent us that says "President, Verizon New Hampshire", so I'm just quoting what he claims to be and from Robin Comstock...I don't believe that this \$400,000 is money well-spent, we had dozens of people in here last night pleasing with us to fund for schools and I think if we have any conception of what priorities are, we should realize that the priorities that Alderman Wihby spoke of are the priorities we should be going forward with, not with more riverwalks. I've opposed this in the past and I will oppose this \$400,000 again tonight. My mother used to have an expression that you shouldn't spend what is it "pour good



money after bad"...well, we've put some bad money in, but if we continue to spend this \$400,000 it would just be putting "good money after bad" and this Board with all of the other priorities that we have with such an emotionally appealing group of people last night, we should react to them and not spend the \$400,000 this way, but to help in the proposal that Alderman Wihby has come forward with. In fact, in Mr. Hickey's letter he assured us that by spending this \$400,000 Manchester's elected leaders remain firmly committed to the Riverwalk. I suggest that...I'm sorry, am I out-of-order.

Mayor Baines replied, no, I'm just wondering if we're discussing the same thing here, I'm just a little confused, I don't mean to be disrespectful.

Alderman Vaillancourt stated the \$400,000 for the Riverwalk is not part of this project. Alderman Vaillancourt continued by reading from Mr. Hickey's communication: "Manchester's elected officials remain firmly committed to the Riverwalk". I suggest that this is exactly the opposite from the signal we want to send. We don't want to send the signal that we're firmly committed to this when we have priorities such as fixing roofs. So, I would plead with the Board as dozens of people here last night pleaded with the Board, don't pour good money after bad, let's use this to fix the water that's coming down into our schools and things and not the water that's flowing down the river.

Alderman Lopez asked is there a motion on the floor for the \$1.2 million.

Mayor Baines replied there is no motion on the floor and this is going to the Finance Committee.

Deputy Clerk Johnson replied actually this item would not be going to the Finance Committee, your Honor. It is a report of the Riverwalk and CIP Committees and my suggestion, I guess, is based on what I'm hearing would be that Item Q be referred to the Committee on CIP for resolutions to be submitted at the next meeting.

Alderman Wihby stated it would be adding \$1.2 million to the School Capital Improvement Program which would change Items K & N numbers and would add \$450,000 for Parks Capital Improvement Program which would also change K & N.

Alderman O'Neil stated we can move the \$1.4...where is the other \$200,000 coming from.

Alderman Wihby replied what K & N is doing is putting everything on a fast track, so if we can put everything on a fast track and when we go back to do the rest of the CIP, we'll have to come up with money then.

Alderman Lopez stated the \$1.2 million...moving it from the \$1.4 is what we're voting on, I presume, if Carol...

Mayor Baines stated we are going to have the exact wording in just a moment.

Alderman Lopez stated this other money has to go back to CIP, am I correct, Alderman Wihby.

Alderman Wihby replied I guess I was looking...you mean the other three projects.

Alderman Lopez asked if we vote on the \$1.2...taking it out of there then we can throw it in for the roofing...

Alderman Wihby stated my motion on the floor is to do all of the three recommendations: fix Webster, Northwest; the Parks Programs, fix all of the roofs with the School Capital Improvement Program; take the \$1.6 million that we need for that and add it back into the two items you have back in K & N which would raise...because we're actually recommending that the following CIP projects be expedited; that is one of the recommendations today as a report of the Committee.

Alderman Lopez stated the only clarification I want to make here is that we're voting on it here, it's not going back to CIP, it's a done deal.

Alderman Wihby stated those will be on fast track and would be a done deal and then in Committee we would have to recognize when we go back there to take up all of the other items that are \$250,000 over.

Alderman Shea stated things are moving so fast here, your Honor, that I want to kind of slow them down because they move fast when people want them to move fast and slow when people want them to move slow. I want to understand now...the \$1.4, your Honor, is coming from where.

Mayor Baines replied the \$1.4 is originally the money that was set aside for parking down in the Millyard.

Alderman Shea stated so that is Seal Tanning, is that correct.

Mayor Baines replied originally the Seal Tanning.

Alderman Shea stated because we also have money remaining in the Riverwalk...we have committed \$4 million for that...we not touching any of that, is that correct when

we're talking about the \$1.2. Let me discuss a little bit here, your Honor, if I may because I kind of want to add on...

Mayor Baines interjected we ask the Clerk for a point or order here.

Deputy Clerk Johnson replied I understand what Alderman Wihby is trying to do and I can understand fast tracking...the problem we have is that you're talking about bond transfer resolutions and you do not have any bond transfer resolutions before you this evening. My suggestion would be to allow the recommendations that came out of CIP go forward and that the Board refer this report to the CIP Committee to report back to the Board by its next meeting and we can submit resolutions that are appropriate that will amend further and those can all be adopted that night, they don't have to lay over. So, it's not going to slow the process down in terms of fast tracking.

Mayor Baines stated what I would like to do so we can move this along is to get the actual motion on the floor, get it seconded so we can get a vote and then we can continue the discussion.

Deputy Clerk Johnson stated Item Q should be referred to the CIP Committee for resolution preparations in accordance with what Alderman Wihby outlined which were the roof projects, Northwest and Webster site improvements...a total of \$1.650...there are different bonds that are involved in this item so it really needs to be properly work on.

Alderman Wihby stated if you look at Item N it says School Capital Improvement Program (\$2,100,000.00) why can't we amend that to add the roofs in there...the \$1.2 million addition on top of the \$2.1 million, why can't we do that tonight.

Deputy Clerk Johnson replied you could piece it apart and amend Item N, you would have to amend two different items on there based on what you're saying, but it still is not going to accomplish what you're trying to accomplish in one night, it's still going to have to come back at the next meeting, you're still going to have to have bond transfer resolutions prepared because those bonds are not on this agenda, the bonds for those programs that you're looking at the \$2.1 million is tied in with a new bond authorization under Item K; that is a new bond, you're talking about a bond transfer which can't be done in the same resolution, that's my point.

Mayor Baines stated can we get the Clerk to suggest a motion and get this moved along so that we can get on with the meeting.

Alderman Lopez in reference to Item Q...in taking the money out of there, the rest of Item Q can move forward, am I correct. So, instead of saying Item Q, let's move the rest

of it and take the \$1.2 out of there that Alderman Wihby is talking about and let's move forward with the rest of the project.

Deputy Clerk Johnson stated I guess my question is it just Item 4 or are we also talking \$400,000 because it doesn't add up to the \$1.6.

Alderman Lopez stated I understand it and I know Alderman Shea has mentioned the \$400,000. I think the motion was to transfer \$1.2 and according to the memo that the Mayor gave and Alderman Wihby's explanation and then approve the rest of Q, correct me if I'm wrong Alderman Wihby.

Alderman Wihby stated everyone is saying my motion. On Q there are four recommendations. Now, the fourth recommendation if you're looking inside your packets talks about \$1.4 million. My recommendation is not to go forward with the \$1.4 million for parking, but to go forward with \$1.4 million on four different projects: one, if Northwest Phase II which is Parks Capital Improvement; Webster School Phase II which is parks Capital Improvement; Derryfield which is \$150,000 which is Parks Capital Improvement, so we'd be amending \$450,000 and adding it to Parks Capital Improvement and then taking \$1.2 million and adding that to the School Capital Improvement which does ten different roofs. Now, in order to do that you need more money, but when we go back to the CIP budget, I was hoping to expedite this thing and get it done as soon as possible because it's on an expedited list and then when we go back to the Committee we'd have to know that we are short \$250,000...we have to make that up in all of the other projects that we have and fund balances or whatever else is there.

Alderman Lopez stated I agree with that, but the rest of Q can move forward.

Alderman Wihby stated one, two and three could move forward...if that doesn't pass tonight then there's \$400,000 there and we have even more money there. If it does pass then we're still going to have to go back and look for the \$250,000.

Alderman O'Neil moved to amend the report by increasing 330501 by \$1.2 million for a total of \$4,300,000 and increasing 511601 by \$200,000 for a total of \$1,540,000.

Alderman O'Neil duly seconded the motion.

Alderman Shea stated I must commend Alderman Wihby, he's for the schools, wonderful. I'm glad that you have the insight to be able to transfer money, David, it's wonderful that we're helping the schools. The appropriation for the other types of funding which would mean beyond the \$1.2, I obviously feel that we don't have to borrow money if as Alderman Vaillancourt has said we examine the \$400,000 for the Riverwalk and let me go into this a little bit. The question regarding the \$400,000 must be asked. Is this funding of \$400,000 to complete IB known as NYCOA Section A Need or A Want.

Reasons listed by advocates ranging from the President and CEO of the Chamber of Commerce and President of Verizon include it complementing "Singer Park's activity by providing more accessibility to events, helping to insure that non-profits, private and federal government funding will continue plus hands-on across the Merrimack Bridge project, all worthy projects. Citizens testifying last evening support immediate capital improvements to City schools...thank you, Alderman Wihby...most notably, Center and Hillside. A former Ambassador stated that he has seen better school facilities in third world countries than the present condition of Central High School. Alderman Wihby again was quoted in today's paper that we might be able to spend \$1.7 million from the CIP budget to help with repairs and he has come up with \$1.2 this evening, which I commend him for...

Alderman Wihby interjected \$1.650 million.

Alderman Shea continued by stating \$1.2 for the schools plus \$300,000 plus \$175,000 and so forth. But, my feeling is that the logic of spending almost \$500,000 for a walking area when our City has such pressing financial needs, why borrow money when money is available from what you have said and also from taking the \$400,000...putting it toward the \$1.2, coming up with \$1.6. I agree that we should work on Derryfield Park, I am for parks. I'm for riverwalks, but I am not in a sense saying that if we have a need or a want we should approve a want rather than a need. So, what I am saying is the Board of Mayor and Aldermen who have almost committed \$4 million to this project, if all recommendations are approved is a lofty amount of money and I ask in the words of Mr. Gatsas is this a wise decision for all the citizens of Manchester to spend this kind of money or should we divert it toward the needs of the schools. So, I am just saying that I favor placing an amendment on his particular decision for the \$1.2 and adding the \$400,000 from the Riverwalk and transferring it.

Mayor Baines stated I am not accepting any amendments to a motion that is still in confusion.

Alderman Hirschmann stated I just wanted to thank Alderman Wihby for bringing some common sense to this Board. This is money that went unspent, it was expedited funds...the project never happened and Alderman Wihby found school roofs in need of repair, he listened to people in their public testimony, he is to be commended and I support this measure and I also have one brief question and that is the amended number that the School Department is going to have to carry, will they accept the debt service.

Mayor Baines replied yes, that is not a problem. I am going to turn to Mr. MacKenzie now.

Mr. MacKenzie stated if I could give it a try, Mayor. I think the first motion I see on the floor is \$1.4 out of this and the Board could take that action to take that out of Q; that you could expedite that \$1.4 for now because we don't know where the other \$250,000 is coming from, you could do it as separate motions.

Mayor Baines asked for the withdrawal of the main motion.

Alderman Wihby withdrew his main motion. Alderman O'Neil withdrew his second.

Mayor Baines stated so the motion we would ask for, Mr. MacKenzie, would be what.

Mr. MacKenzie replied to remove the \$1.4 million from Item Q.

Alderman Wihby moved to remove recommendation #4 from Item Q. Alderman O'Neil duly seconded the motion.

Alderman Levasseur stated that is what I was going to suggest because I had a question concerning...I don't mind the \$1.2 million going to just the fixing of the schools...you're starting to throw a bunch of different numbers around here. Now, I have a question about the \$650,000 in federal money for Derryfield Park; that would have been included in that motion, correct.

Mayor Baines replied no that is a separate issue.

Alderman Levasseur stated I just wanted to make sure...if you say you're working on that \$650,000 I'd like to see it come, but is it specifically for just that spot or can it be used for any other spots.

Mayor Baines replied I believe the question was asked by Alderman Gatsas...would that particular site qualify and the answer was yes.

Alderman Levasseur stated there are other sites that could qualify in the City.

Alderman Gatsas stated I believe what Parks said was that that was specifically for that site because they had already started the application.

Mayor Baines stated I thought there were other sites as well.

Alderman Shea stated I believe that is correct, your Honor. I believe that that money is specifically earmarked for Derryfield Park.

Alderman Vaillancourt stated your motion is for \$1.2 or \$1.4.

Mayor Baines replied it was \$1.4.

Alderman Vaillancourt asked are you going to accept a motion for the \$400,000 as well.

Mayor Baines replied we are just going to deal with this and then I am going to go back to Mr. MacKenzie so we can try to bring some sense to this discussion.

Alderman Wihby stated my understanding is that what we are passing now.

A roll call vote was taken on the motion: Aldermen Vaillancourt, Pariseau, Cashin, Thibault, Hirschmann, Wihby, Gatsas, Levasseur, Sysyn, Pinard, O'Neil, Lopez and Shea voted yea. Alderman Clancy was absent. The motion carried.

Alderman Vaillancourt moved to amend Item Q by removing recommendation #2 (the additional \$400,000). Alderman Shea duly seconded the motion.

Alderman Hirschmann stated I saw this list at home and I saw the bridge across the Merrimack...where is that...what happened to it.

Mr. MacKenzie replied I'm not quite sure I understand the question. This is not in this particular listing, no. There is a separate appropriation proposed in FY2002 for \$40,000 for Design.

Alderman Hirschmann stated I thought I saw a \$600,000 number...where was that number.

Alderman O'Neil replied there's been some federal money...I want to say T21.

Mayor Baines state that is not part of this.

Alderman Shea stated in the discussion the other night, I asked Frank Thomas how long the Riverwalk is and he said it's 5,280 feet and I asked him how much have we spent and I may be wrong, but I think he said somewhere in the vicinity of \$2.195 million for 5,280 feet. Now, I know it's a wonderful project, but I had...

Alderman Levasseur interjected...point of order, your Honor. I believe the amount was \$1.5 million, Mr. Thomas, does that go with the number you quoted us in committee. I just want to make sure we clarify that, your Honor.

Mayor Baines stated I appreciate that.

Mr. Thomas stated yes, you're correct. I think what Alderman Shea is talking about is all of the money that has been spent to date on the Riverwalk which includes the Master Plan, etc. As far as the construction that's been done to date that is closer to the number that you just stated.

Alderman Shea stated excuse me, Frank, you're saying that we have spent how much in total. Are my figures here incorrect...have we spent \$2.195 million including all the costs or have we just been \$1.6 million.

Mr. Thomas replied if you take a look at the summary sheet that's attached to my recommendation you can see halfway down that list of sub-total (\$2.195 million); that is money that's either been spent or committed to date for the Riverwalk and if you see above that you'll see where that money has been spent (Master Plan, Design IA, Design IB, 3 Millyard Traffic Studies, etc., etc., etc.).

Alderman Shea stated what I'm saying is my figures are more accurate in terms of the total cost, is that correct.

Mr. Thomas replied the total cost to date is \$2.2 million.

Alderman Shea stated we also have a recommendation that we ultimately reach \$4 million, is that correct, Frank.

Mr. Thomas replied the recommendation that was being brought forward was to allocate the \$4 million...\$1.4 of that has been taken out of that \$4 million package, so it's down to \$2.6.

Alderman Shea stated now, may I ask Bob MacKenzie or Kevin...on a \$4 million expenditure how much interest will we pay ultimately for this particular project.

Mr. Clougherty replied if you're talking about a straight bond issue, a general obligation bond it's usually about 3.8%.

Alderman Shea asked in total, how much.

Mr. Clougherty replied at 3.8% over a 20-year period.

Alderman Gatsas asked, Alderman Vaillancourt, is there a reason why we want to leave only \$5,000 left in that fund.

Alderman Vaillancourt stated there is \$5,000 left. Where's that now.



Alderman Gatsas replied that's the difference between rescind relocation of Public Service line at Singer Field and allocate Riverwalk Parking Contingency, you see there's a \$5,000...one's a credit and one's a...I just didn't know if you noticed that.

Alderman Vaillancourt stated I was talking #2 out of Item Q. Are you saying we should be taking the difference between #3 and 1 out as well.

Alderman Gatsas stated that's all I'm saying is going to be left in there.

Alderman Vaillancourt stated I would accept that amendment to my amendment, if that's what you'd like to do.

Mayor Baines stated we do have an amendment on the floor. I think people pretty much know how they're going to vote here.

Alderman Gatsas asked in this Riverfront, Frank, is there any allocation in here for the design and build or only the design from Granite Street north, is that anywhere here in this project.

Mr. Thomas replied yes. Again, if you look at the summary that you were referring to...Design of Phase III (\$194,000) that is for that section from Granite Street northerly.

Alderman O'Neil stated just for clarification, your Honor. Everything is called Riverwalk, but there's approximately \$540,000 that have nothing to do with the walk...the Master Plan, Millyard Traffic Study, Design of Seal Tanning Parking Facility, the stage, upgrade the water line to Singer Park, Rubenstein Parking Lot, purchase of the B & M property...so, everything gets referenced as Riverwalk, but it really has nothing to do with the...it's all Riverfront Development, is what it has to do with. So, I just think that it's important that we make that clarification.

Alderman Levasseur stated it's difficult, I know, in these times, in these pressing needs for other priorities in the City. We all know what needs to be done, we have an understanding of what's going on, we just put another \$1.4 million into the roofs of the schools...that was a good move obviously...that was committed money for the Millyard and we fought hard and long for that money, we got it back and we are now prioritizing it, I believe in the right way. Now, I took a walk down to the Riverwalk and I had gone down there in the winter time, so I hadn't seen after the tax had already been put on that they had already knocked all the trees down, had already put in the water lines, had already done all of the engineering and had already put all of the gravel in for the path itself. So, the path is done, the place has been cleared and all they need now is the next phase and it needs to be tarred. So, it's kind of crazy to just stop in the middle of this thing now when it's already done. It's going to be done, it's going all the way down to Jac

Pac and that's what I think we should do. Now, as far as the design of Phase III...we put in \$194,000 that Alderman Gatsas astutely picked up on as he usually does and I'm wondering if there is going to be a commitment from this Board (here and now) to go forward with design of III because if we're not we probably shouldn't put that \$194,000 and especially when you're talking about needing another \$250,000 and there would be your money, so would we want to talk about that.

Alderman O'Neil stated my understanding is that Phase III is probably...I had used the number of 80%, I don't believe it's quite at 80%, but maybe three-quarters of the way designed...they have sent the design to the various agencies that are required for permitting and once they get back that information from the permitting agencies what will be accepted then we will go in with the final design. My understanding is we most likely could never start construction in the next fiscal year because of the permitting, so it made no sense to commit construction money if we were never going to spend it. Am I correct, Frank.

Mr. Thomas replied that is correct...plus, everything that's in the lighter type on that sheet or above that sub-total is monies that is already committed. So, the design of Phase III money you really have to look at that as gone because as the Alderman said it's pretty much been expended through our design effort to date.

Mayor Baines called for a vote on the amendment and asked the Clerk to read the amendment.

Deputy Clerk Johnson stated the amendment is to amend the motion on the floor by amending the report by deleting Item #2, which is the \$400,000.

A roll call vote was taken on the motion: Aldermen O'Neil, Lopez, Pariseau, Cashin, Thibault, Hirschmann, Wihby, Gatsas, Levasseur, Sysyn and Pinard voted nay. Alderman Shea and Vaillancourt voted yea. Alderman Clancy was absent. The motion failed.

Deputy Clerk Johnson stated the main motion on the floor now would be to accept the balance of the report that was made by Alderman O'Neil.

Alderman Thibault moved to accept the balance of the report. Alderman Pariseau duly seconded the motion. The motion carried with Aldermen Gatsas, Shea and Vaillancourt duly recorded in opposition.

Deputy Clerk Johnson stated based on that action we would now moved to Item N.

Mr. MacKenzie stated there are still two resolutions to carry through. The next one would be Item N allocate the \$1.4 million and \$1.2 would be allocated to CIP #330501 School Capital Improvement Program and \$.2 million would be allocated to 511601 Park Capital Improvement Program subject to appropriate bond transfer resolutions.

**Report of the Committee on Community Improvement:**

N. Recommending that the following FY2002 CIP projects be expedited in FY2001:

|        |   |
|--------|---|
| 330501 | School Capital Improvement Program (\$2,100,000.00)       |
| 330401 | McLaughlin Middle School Addition (\$3,100,000.00)        |
| 511601 | Parks Capital Improvement (\$1,340,000.00)                |
| 711001 | Public Works Infrastructure Improvements (\$1,485,000.00) |
| 711101 | Parking Facility Maintenance Program (\$450,000.00)       |
| 820201 | City Motorized Equipment Replacement (\$1,000,000.00)     |

and for such purpose an Amending Resolution and Bond Resolutions have been submitted.

Alderman O'Neil moved to amend the report by increasing 330501 by \$1.2 million for a total of \$3,300,000 and increasing 511601 by \$200,000 for a total of \$1,540,000.

Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

Alderman Wihby moved to accept, receive and adopt report as amended. Alderman Thibault duly seconded the motion. There being none opposed, the motion carried.

Alderman Wihby stated we still haven't addressed the recommendations as far as Derryfield and the other \$250,000, could we at least send that back to Bob and maybe get a confirmation today that the Board wants to do that...have him go back and look at it.

Mayor Baines stated Mr. MacKenzie has a suggestion.

Mr. MacKenzie stated to clarify that if the Board would like to it could accept the concept of funding \$250,000 of which that would include \$100,000 for Northwest and Webster and \$150,000 for Derryfield and then refer it back to the CIP Committee to find the funds.

Alderman Wihby moved to support the concept of adding \$100,000 in addition for Northwest/Webster Park Improvements and \$150,000 for Derryfield Park matching funds and referring to CIP to locate funds. Alderman Shea duly seconded the motion.

Alderman Cashin stated this is going back to CIP.

Mayor Baines replied yes, it will go back to CIP.

Alderman Gatsas stated for clarification on the \$1.2 million. I assume that the schools or the renovations that we talked about that we all discussed here is that that is where it's going and they aren't going to...

Mayor Baines replied yes, it's very clear that that's a priority.

Alderman Shea stated I'm sure that chargebacks come back into all of these scenarios, but is that a chargeback for the school.

Mayor Baines replied it's a debt service.

Mr. Clougherty stated they pay the debt service.

Mayor Baines stated this is not a problem.

Alderman Shea stated it's not a problem today, but will it be a problem.

Mayor Baines replied probably. Any further discussion. Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Deputy Clerk Johnson stated before Item K gets submitted to the Committee on Finance, the first resolution listed is listed for \$9.475 million, we need to amend that resolution upwards by \$1.4 million...\$1.2 million going into the school projects and \$.2 million going into the parks projects and would need a motion to amend the resolution.

**K. Amending Resolution and Bond Resolutions submitted for expedited  
FY2002 Budget projects:**

"Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Nine Million Four Hundred Seventy Five Thousand Dollars (\$9,475,000) for certain FY 2001 CIP Capital Improvement Projects."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Three Million One Hundred Thousand Dollars (\$3,100,000) for the 2001 CIP 330401, McLaughlin Middle School Addition Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million One Hundred Thousand Dollars (\$2,100,000) for the 2001 CIP 330501, School Capital Improvement Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Three Hundred Forty Thousand Dollars (\$1,340,000) for the 2001 CIP 511601, Parks Capital Improvement Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Four Hundred Eighty Five Thousand Dollars (\$1,485,000) for the 2001 CIP 711001, Public Works Infrastructure Improvements Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Fifty Thousand Dollars (\$450,000) for the 2001 CIP 711101, Parking Facility Improvement Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Dollars (\$1,000,000) for the 2001 CIP 820201, City Motorized Equipment Replacement Program."

Alderman Wihby moved to amend the resolution as outlined. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

Alderman Wihby moved that the resolutions be referred to the Committee on Finance. Alderman Lopez duly seconded the motion. There being none opposed, the motion carried.

5. Nominations to be presented by Mayor Baines, if available.

There were no nominations presented by Mayor Baines.

6. Report of the Committee on Community Improvement, if available, regarding funding for Hazardous Material Clean-up Fund Project.

There was no report submitted.

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to recess the regular meeting to allow the Committee on Finance to meet.

Mayor Baines called the meeting back to order.

Deputy Clerk Johnson stated we reported on Item 6 that the report of the CIP Committee was not available and there has been some confusion in terms of whether or not there were funds available for that project but the Committee did, in fact, take two separate actions to support the theory of setting up about \$2,000 in an account. The Finance Officer is coming back to the Board with contingency items next week and it has been suggested that he can bring that back as part of it and it can be taken up at that time.

A report of the Finance Committee is recommending that Resolutions:

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the 2000 CIP 511500 Park Improvement Program."

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Nine Thousand Two Hundred and Sixty Five Dollars (\$9,265) for the 2000 CIP #710200 Intersection Improvement Program."

"Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Seven Thousand Eight Hundred Sixty Eight Dollars (\$27,868) for FY2001 CIP Health Department Projects."

ought to pass and be enrolled, and further that Amending Resolutions and Bond Resolutions:

"Amending a Resolution 'Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Ten Million Eight Hundred Seventy Five Thousand Dollars (\$10,875,000) for certain FY 2001 CIP Capital Improvement Projects'."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Three Million One Hundred Thousand Dollars (\$3,100,000) for the 2001 CIP 330401, McLaughlin Middle School Addition Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Two Million One Hundred Thousand Dollars (\$2,100,000) for the 2001 CIP 330501, School Capital Improvement Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Three Hundred Forty Thousand Dollars (\$1,340,000) for the 2001 CIP 511601, Parks Capital Improvement Project."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Four Hundred Eighty Five Thousand Dollars (\$1,485,000) for the 2001 CIP 711001, Public Works Infrastructure Improvements Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Fifty Thousand Dollars (\$450,000) for the 2001 CIP 711101, Parking Facility Improvement Program."

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Dollars (\$1,000,000) for the 2001 CIP 820201, City Motorized Equipment Replacement Program."

ought to pass and layover.

Alderman Wihby moved to accept, receive and adopt the report of the Committee on Finance. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

Alderman O'Neil stated maybe this should come up under new business but somebody brought up earlier looking for a certain department. We are in budget mode now and we really need department representation for both the CIP budget and the operating budget and again we find only a few department heads here tonight. I know there are a couple hiding upstairs and I don't know why but we really need them at these meetings to answer questions when they come up so that we can move this process along.

Mayor Baines replied we appreciate that and we will remind everyone.

Communication from Alderman Vaillancourt advising that due to illness State Representative Bonnie Patria will no longer be able to carry out her duties and suggesting the Board handle this matter in the same manner in which it handled the resignation of State Representative Roland Beaupre.

Alderman Vaillancourt stated sadly since this came to my attention, Representative Bonnie Patria has passed away. There will be a service for her Thursday night at 7 PM at the Hope Tabernacle Church at 222 Cedar Street. Bonnie was a unique individual as I am sure we all know and our prayers were not answered enough but hopefully we will remember her and we have to set about the business of...

Mayor Baines interjected let's observe a moment of silence in her memory at this time and ask everyone to join with us.

Alderman Vaillancourt stated sadly the business of life does go on and we have two elections now that we have to have special elections to fill the seats. I understand that there is a problem with the state as far as having the primary on the September primary for the City side and then in November. Maybe Carol could address this. I believe one of the Senators is going to try to file a bill so that we can manage to have them in that manner, Senator D'Allesandro I understand.

Deputy Clerk Johnson stated in order for the City to hold the municipal election and then a general election for state election purposes, our Charter dates do not coincide with the number of days that would need to be held in between so there is going to be a request to initiate special legislation to go through to allow us to do so, which would save the City a substantial amount of money because if we can hold it on the same day, it is about \$3,000 per election and I know that Leo has indicated that to the Secretary of State and they were going to have the legislation submitted for us.

Alderman Vaillancourt moved to support legislation to allow the City to hold a special election concurrent with the City's municipal election. Alderman Shea duly seconded the motion.

Alderman Vaillancourt stated in doing so it would not only save the City money but it would get a much larger turnout.

Mayor Baines called for a vote on the motion. There being none opposed, the motion carried.

Alderman Vaillancourt stated as I said it would get a much better turnout. For example today in Nashua they are voting for the infamous Alcier's seat and in the primary down

there they got only a couple of hundred people. I think we would get better representation from the voters of Wards 3 and 8.

Mayor Baines stated Bonnie was a very unique individual who had compassion for the homeless and she will be greatly missed here in our community.

Communications from Alderman Vaillancourt regarding HB429 relative to binding arbitration for city disputes.  
(Includes original, memo regarding Dover, and memo regarding Portsmouth.)

Alderman Vaillancourt stated I am passing around some more information. This is regarding HB429, which will be coming up I understand at 10 AM before we get into the Claremont issues or the budget or anything. This is the bill, which would require certain cities, all cities and a couple of towns in the state to have binding arbitration only for police and fire personnel. Since the House voted on this last session, two weeks ago, I have moved to reconsider. I was in a quandary over this as someone who has always supported labor. I think that I tried to do that this time, however, as an elected City official I think this serves as an abdication of our responsibility because what this does and I do want to again congratulate the City's labor negotiator, Mr. Hodgen, for bringing this to your attention. As you recall, two weeks ago I mentioned that the only way this could be defeated in the House was for it to be removed from the consent calendar. It was, in fact, removed from the consent calendar by Representative Pepino. However, as maybe some of you know when an item is removed from the consent calendar it goes to the end of the business day in the House unlike here we take up items originally at the outset so that went about 8 hours into the day and was taken up around 6 PM. People were tired and confused and to cut a long story short, I have moved for reconsideration. In the past two weeks I have been contacted by several officials from towns and cities, mostly cities like Portsmouth and Dover who are very much against this and I thought it would be appropriate for the City of Manchester, the largest City in the state and one which was referred to on the House floor because of this legislation, to come out and give some directive as far as whether we wish to be in favor of something that would create binding arbitration, again only for police and fire. I am passing around to you now a couple of items. One that I just got yesterday because I am sure you all received a copy of the bill and I am sure you as well as I received the letter which was sent by the Firefighters Association, Mr. Bressard, over the weekend. He points out one thing in the paragraph near the bottom of Page 1 that I believe is in error so I wanted to send you a copy of 273A12. He says both sides would mutually agree upon the fact finder. That is not entirely true. If the fact finder was not agreed to by both sides it would be appointed by the Public Employee Labor Relations Board so before we went any farther into that I wanted to correct that mistake and there are several issues that were controversial and perhaps mistaken information was given out. I thought it should be something that the Board of Mayor and Aldermen should weigh in on before the vote tomorrow morning and some people will say oh you should just let it go to the Senate, which I believe is



what your Honor said the other night but I don't believe in abdicating my responsibility when I am an elected official and to simply let it go to the Senate would be doing that and it will come up tomorrow morning and I understand there will be a rather robust debate on it. I would move that the Board of Mayor and Aldermen take a position in opposition to this bill and send a letter to the appropriate people before the vote tomorrow.

Alderman Vaillancourt moved to have the Board of Mayor and Aldermen take a position in opposition to HB429. Alderman Levasseur duly seconded the motion.

Mayor Baines asked could we just defer to Alderman O'Neil. I know he is a sponsor of the bill.

Alderman O'Neil stated I am a co-sponsor of the bill with Representative Jane Kelley and Representative John Whittier. HB429 forces both parties to negotiate in good faith on day one. We are somewhat fortunate that that has generally been the practice here in Manchester but unfortunately that hasn't been the practice around the state. There were four years of study and work by the House Committee on Labor and they held one summer and I believe Representative Baroody who was here could give us some more detail but one summer they held seven public hearings around the state to get some information on this and it led to this legislation being introduced. In my opinion, this bill...the intent is to never get to arbitration and that everything is resolved early on and the issues never get to arbitration. I want to speak about Dave Hodgen because I know some of us have clashed and I have clashed with him occasionally. In my opinion, Dave's job is safe and he has been a very loyal City employee. He constantly carries out the directives from the Board. He doesn't deviate from those directives. I recall in the early 1990's the Mayor removed his position from the budget and it was restored with what I remember was a unanimous vote by the Board of Aldermen. I met with Dave and I can say that we respectfully disagree on this item. Manchester for the most part has enjoyed fairly good relations with its employees. I will recall, however, that we only recently in my opinion have recovered from the difficult negotiations with our police officers in the mid-90's. There was picketing at homes of elected officials, lack of support for police department related programs, in my opinion it divided the administration from the patrolmen, it divided the supervisors from the patrolmen and in some cases divided patrolmen and patrolmen. Unlike Manchester as I said earlier, many other communities have ongoing problems with negotiations. I will point out something that I have mentioned a number of times in the Human Resource Committee. All of these meetings and negotiations that go on, there is a cost to the City. Although David has his full-time job and he is expected to attend all of these meetings, when department heads attend or upper level managers or even the rank and file employees who happen to be the union officers or members of the bargaining committee, they are always attending on the taxpayers time and we must keep that in mind. The more meetings that go on, the more cost to the taxpayer and the less work that is getting done by those employees. What I

am going to ask the Board tonight is to table this item and allow me to put together a complete package of information so that the Board can make a fair assessment of its position. I hope to have this information. I will try to have it done by the end of this week but I have to rely on others to provide a lot of this information. Absolutely you will have it by the middle of next week. I do wish to make the point that I respectfully disagree with my colleague on his earlier comment...there still is time in the Senate even if this passes the House tomorrow as he has indicated. I know State Representative Ben Baroody is here who has spent a great deal of time on this issue and possibly may be willing to answer some questions tonight.

Alderman O'Neil moved to table this item. Alderman Thibault duly seconded the motion. Mayor Baines called for a vote on the motion. Alderman Vaillancourt requested a roll call vote be taken. Aldermen Pariseau, Cashin, Thibault, Wihby, Sysyn, Pinard, O'Neil, Lopez voted yea. Aldermen Vaillancourt, Hirschmann, Levasseur, Shea voted nay. Alderman Gatsas abstained. The motion carried.

Alderman Gatsas stated for clarification purposes I just want Alderman O'Neil to know that there is not a session scheduled for next week in the Senate.

Alderman O'Neil replied the Board wouldn't be meeting next week either.

Alderman Pariseau asked we weren't just snookered were we because the Senate meeting will be before our next meeting.

Alderman O'Neil answered that is news to me...number one it has to be assigned to a committee. Are you saying that it will be a committee a week from Tuesday?

Alderman Gatsas replied I am telling you that the next full session of the Senate is in two weeks.

Alderman O'Neil stated it will be assigned to a Committee though at some point.

Alderman Pariseau asked, Alderman Gatsas, do you think we have been snookered.

Alderman Gatsas answered I didn't say that you had been snookered.

Alderman Pariseau moved to reconsider.

Deputy Clerk Johnson stated there is some confusion here. My understanding is that the bill is on the House floor and from the House the normal process would be that it would be referred, if it passed in the House it would be referred to a committee in the Senate so it would not be on the floor of the Senate. The process is that it goes to a committee first.

Alderman Gatsas stated if it comes out of the House tomorrow it can be assigned to a committee and that is eight days until the following Tuesday. Whether that can happen, I can't tell you but the process is certainly available.

Alderman O'Neil replied but there were bills that were heard by Senate committees a month ago that still haven't come out of committee and moved to the full Senate. My intent, Alderman Pariseau, I am not trying to snooker anyone. It will be assigned to a committee and I doubt very much next week. It will be assigned to a committee at the earliest two weeks from now and I believe there is time for the City to take a position if it so wishes.

Mayor Baines stated again you will get the information out to the members of the Board and we can do a telephone poll if that were required. I think people know generally how they will vote on this issue.

Alderman Shea stated I just wondered when we were voting...this concerns police and firemen. How about teachers?

Mayor Baines replied it is just public safety officials.

Alderman Shea asked why only them. Why is it just restricted to policemen and firemen?

Mayor Baines replied as I understand it and we had a meeting with the delegation last week and I can give you some insight on that. As it was explained to me and again I am in the process of doing some research on this issue while I was also looking at how it has impacted other states. I think that public safety employees in 20 states now have this and it is restricted to public safety employees. Originally teachers were in the bill. Through a series of hearings that took place around the state there was feedback that it should be focused just on public safety employees and that is why they removed them.

Alderman Levasseur stated while the motion was on the floor that Alderman Vaillancourt had made and I had seconded, I wish and people don't realize that the man who is in the chair over here has a lot of power. I wish you would have allowed a little more discussion on that because you accepted a motion to table too quickly in my estimation. Also I remember it wasn't too long ago that we sat here as a Board and also made a recommendation on home rule and this is one of those issues where we are allowing the state to tell the City what it can or cannot do and I think this is an issue where...you know you have had a couple of Mayors come out and say hold on a second at first glance maybe we thought it was okay but now you have Mayors coming out against it and tomorrow is the day for the vote, your Honor and there are 36 representatives from this City.

Mayor Baines replied for reconsideration.

Alderman Levasseur stated for reconsideration thanks to Alderman Vaillancourt's quick action by the way. You represent the City well up at the state Mr. Vaillancourt and I want to commend you for that. I just think, your Honor, that the recommendation...we are not making any kind of a vote and we are not going to be able to have any control over what the state does but a recommendation from this Board may sway some of the state representatives from our City that are working on this issue and I don't think that you should have...and I am respectfully disagreeing with you on the motion to table and I think that we should have allowed this to go through with a recommendation vote.

Mayor Baines replied I appreciate that.

Alderman Levasseur duly seconded the motion for reconsideration.

Alderman Vaillancourt stated my point was never to force anybody to decide one way or the other on this. Everybody has free will and I think this is an issue we should exercise our free will on. I have agonized over this decision but to just simply put this off and say that there is no role for the City of Manchester is just simply not right. This affects us tremendously whether you are on one side or the other and you have a right to be on either side. I wanted to here from Representative Baroody. I am glad he is here. I wanted to hear from the other side. My comment is that I hope we vote to reconsider so that we can get this vital information and then you can decide to table after that if you want.

Alderman O'Neil stated what I had asked my colleagues to do and I think they supported was let's get all of the information before you make a decision. I don't believe you have all of the information like the history on what they found out when they held the seven hearings across the state that led to this legislation being introduced. That is all I ask for. If you take a position in two weeks not to support it, that is fine and I respect that but all I am asking is get all of the information before you make a decision.

Mayor Baines called for a vote on reconsideration.

Alderman Hirschmann asked the information that the Board is going to get, could that include an opinion from public safety officials like the Chief of Police, the Fire Chief and even yourself, your Honor.

Mayor Baines answered absolutely. I am researching this and spending quite a bit of time on it.

Alderman Pariseau requested a roll call vote. Aldermen Pariseau, Hirschmann, Levasseur, Shea, and Vaillancourt voted yea. Aldermen Cashin, Thibault, Wihby, Sysyn, Pinard, O'Neil and Lopez voted nay. Alderman Gatsas abstained. The motion failed.

Communication from the Airport Director seeking authorization to take possession of two (2) residential properties located at 2584 and 2594 Brown Avenue; which were recently acquired by the Manchester Regional Industrial Foundation.

On motion of Alderman Pinard, duly seconded by Alderman Pariseau, it was voted authorize the Airport Director to take possession of two residential properties located at 2584 and 2594 Brown Avenue.

- 13.** Communication from the Director of Planning, Economic Development Director and the Public Works Director relative to the sale of property on Hackett Hill to establish a Preserve in accordance with the Consent Agreement.

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to approve actions as referenced below:

- 1) That the Mayor be authorized to work with the Manchester Housing and Redevelopment Authority to execute the sale of a major portion of the so-called "Preserve" totaling 348.68 acres at a fair market value of \$1,043,258. That the Preserve be transferred to The Nature Conservancy in accordance with the Consent Agreement and SEPP between the City of Manchester, the NH Department of Environmental Services and the US Environmental Protection Agency. The sale to be executed following approval of the subdivision plan by the Planning Board and review and approval by the City Solicitor.
- 2) That the Mayor be authorized to work with the Manchester Housing and Redevelopment Authority to execute the sale of the minor portion of the Preserve totaling approximately 25.92 acres at a fair market value based upon the past appraisals and the final acreage of the parcel. That the Preserve be transferred to The Nature Conservancy in accordance with the Consent Agreement and SEPP. The sale to be executed following:
  - a) Resolution of certain boundary and encroachment issues;
  - b) approval of the subdivision plan by the Planning Board;
  - c) and review and approval by the City Solicitor.
- 3) That the amount of funds for purchase of the major and minor portions be transferred from the Environmental Protection Division of the Highway Department to the City and be deposited in a CIP account 650300 established for the purpose of the carrying out the Hackett Hill Master Plan to be adopted by the Board.
- 4) That the Director of the Manchester Economic Development Office with the assistance of other City staff be authorized to continue negotiations concerning the City's purchase of the so-called "Pichette" and "Optima" parcels in accordance with the Consent Agreement and SEPP. That should the negotiations come to fruition that the agreement to purchase be forwarded to the Board of Mayor and Aldermen for consideration and action.

Communication from the Office of State Planning submitting a request for review of federal fund assistance for a Manchester School District project.

On motion of Alderman Wihby, duly seconded by Alderman Lopez, it was voted to approve the request.

Warrant to be committed to the Tax Collector for collection under the Hand and Seal of the Board of Mayor and Aldermen for the collection of sewer charges.

Deputy Clerk Johnson noted that the amount of the warrant was \$76,506.20.

On motion of Alderman Wihby, duly seconded by Alderman Pinard, it was voted to commit the warrant in the amount of \$76,506.20.

A report from Mayor Baines relative to the process for redistricting was presented recommending that Fernand Gelinas, Robert Rivard and William Gardner be appointed to a Redistricting Committee.

Alderman Pariseau moved to approve the recommendation. Alderman Wihby duly seconded the motion.

Alderman Vaillancourt stated I am very much against this recommendation. This recommendation has only three individuals, none of whom is an elected official. Well, I guess Bill Gardner is elected as Secretary of State but as I tried to point out in the documentation that I had presented several weeks ago, this is a process that should involve a great many people and to just have three individuals involved, none of whom is an elected official I don't think is...

Alderman Gatsas interjected point of order. I believe that Bob Rivard is an elected official as a Registrar of Probate.

Alderman Vaillancourt responded I accept that correction of my statement, none of whom is an elected official in City government and this does, in fact, not cover county government as Mr. Rivard is a county elected official but it involves the redistricting of the City of Manchester. I believe the Aldermen should certainly be involved in this. Even 10 years ago we had one Alderman involved in it then and this has none involved whatsoever. I think we need to get input from a great many people and I think this should be as inclusive as possible so to just have three people although I certainly think that Bill Gardner is a wonderful individual and knows very much how this should be handled...for example this doesn't include Leo Bernier, the City Clerk and it doesn't include anybody from the Planning Office. I don't think this is inclusive enough and I think it should be more inclusive and that is why I will vote against this.

Alderman Wihby stated these are three fine gentlemen who have served the City well in all different capacities. These are people who have been on this before and are well respected and have the planning and Leo Bernier and the Highway Department getting

numbers and putting everything together for them so it is not just three people sitting down and saying well let's do something. They are going to use the Highway Department and Planning and the City Clerk's Office and they are going to make a recommendation to this Board. To say that this is wrong or these three people aren't involved, they are very well involved in the community and they know what they are doing.

Alderman Vaillancourt stated point of order I never said anything of that kind.

Alderman Cashin stated first I would like to thank the people who agreed to serve on this Committee. It is not going to be easy and I would like to just note that Alderman Vaillancourt's figures are also in the packet here and those figures are going to be used and if need be he will be called on. We expect that we are going to call on the Planning Board or anyone else who is available. What we have tried to do is keep this as apolitical as possible. Alderman Wihby and I talked about it along with you, Mayor and I totally agree with him. I think it is a good recommendation and I would move on it.

Alderman Levasseur stated Alderman Vaillancourt has been on top of this from the very beginning. He tried to put the whole idea of this together. He brought it to our...I would like to amend this motion to add Alderman Vaillancourt on there to represent the Aldermen. He doesn't represent...this is a non-partisan election and they are going to use his numbers so why not just put him on the committee in the first place? I don't know if somebody wants to second that but I would just like to see an Aldermen on there if he is willing to serve.

Alderman Levasseur moved to add Alderman Vaillancourt to the committee for redistricting. Alderman Shea duly seconded the motion.

Mayor Baines asked, Alderman Vaillancourt, do you accept that.

Alderman Vaillancourt answered I did not do this to get on this committee. I think that it needs to be as firmly a well-rounded committee as possible. I do think that one thing we have to do is give some direction to this committee and we at least have to consider, and I think we should do it tonight, whether or not we want 14 wards or 12 wards. It would completely change the direction the committee goes if you go to 14 wards as opposed to 12 so I think no matter what we do with this committee they should have that direction so they don't come back with a recommendation on how to split 12 wards or how to split 14 wards or to make them go and do it both ways. Regardless of what you do with this, I think we should give them that direction.

Alderman Wihby stated, your Honor, as you know we all looked at that and it was going to end up being a republican, a democrat and Alderman Vaillancourt and we all said that

it was better not to have any Aldermen on that committee. It is better to have it non-partisan and it is better to have it non-political so to just throw one Aldermen on their...we had one Alderman on it last time and that caused most of the problems. You know I don't want this in my ward and I don't want that in my ward and we don't want to get into that conflict. I just hope that we wouldn't vote to do that. Nothing against Alderman Vaillancourt. He has done some good work on this, I just don't think there should be an Alderman on that committee.

Alderman Lopez stated I would just like clarification. I thought the Chair and Aldermen Wihby appointed the committee and we just sanctioned it and now we are changing it after they reviewed it and isn't that taking some authority away from them.

Mayor Baines replied just to clarify it was a recommendation that we feel very strongly about because we discussed these issues and this is our recommendation to the Board and it is up to the Board to vote for it.

Alderman Cashin stated what we said a couple of weeks ago was that we would meet and come in with a proposal and it would be brought to this Board to vote on.

Alderman Lopez stated the people who were selected are fine people and Bob Rivard and Fern Gelinas were Aldermen before and they have been in the process before and I see that the information that Alderman Vaillancourt submitted is attached to that so I am sure that they are going to look at the whole thing so I don't think there is any problem.

Alderman Levasseur stated before I made the motion I probably should have asked if Alderman Vaillancourt wanted to be on it. If you don't, I will withdraw my motion.

Alderman Vaillancourt replied I would hesitate to answer that. It is obvious that this Board will not vote to put me on it so why should I...

Alderman Levasseur interjected that is why I am letting you beg out.

Mayor Baines asked do you want to say yes or no to that request, Alderman.

Alderman Vaillancourt stated I certainly would accept it and as far as this being partisan, if you have a republican and a democrat this would put a libertarian on wouldn't it.

Mayor Baines called for a vote on the amendment to the motion to add Alderman Vaillancourt to the committee. Alderman Pariseau requested a roll call vote. Aldermen Hirschmann, Levasseur, Shea and Vaillancourt voted yea. Aldermen Pariseau, Cashin, Thibault, Wihby, Gatsas, Sysyn, Pinard, O'Neil, and Lopez voted nay. The motion failed.



Mayor Baines called for a vote on the motion to accept the recommendation regarding the redistricting committee. The motion carried with Alderman Vaillancourt being duly recorded in opposition.

Alderman Levasseur asked would it be appropriate now while this is here on the table to make a recommendation that we stay at 12 wards or do you want to bring that up under new business.

Alderman Wihby moved to recommend to the committee that the City remain at 12 wards. Alderman Levasseur duly seconded the motion.

Alderman Vaillancourt stated I think this should have a great deal of discussion. I mean this is not a decision that should come lightly. As you will see if you look at the documentation I provided someplace in this packet, if you stay at 12 wards you are going to have 8,917 people per ward. If you go to 14 wards you are going to have 7,643 people per ward approximately. You are allowed a differentiation of about 5% by officials at the state. Right now if you stay at 12 wards you are going to have to cut 1,761 people or thereabout out of Ward 6. If you go to 14 wards you are going to have to cut another 1,300 out of Ward 6. This is not a decision that should be made lightly. You had 14 wards in the past. If you do go to 14 wards, I believe one ward would have to include both sections of the east side and the west side in order to make the now while this is here on the table to make a recommendation that we stay at 12 wards or do you want to bring that up under new business.

Alderman Wihby moved to recommend to the committee that the City remain at 12 wards. Alderman Levasseur duly seconded the motion.

Alderman Vaillancourt stated I think this should have a great deal of discussion. I mean this is not a decision that should come lightly. As you will see if you look at the documentation I provided someplace in this packet, if you stay at 12 wards you are going to have 8,917 people per ward. If you go to 14 wards you are going to have 7,643 people per ward approximately. You are allowed a differentiation of about 5% by officials at the state. Right now if you stay at 12 wards you are going to have to cut 1,761 people or thereabout out of Ward 6. If you go to 14 wards you are going to have to cut another 1,300 out of Ward 6. This is not a decision that should be made lightly. You had 14 wards in the past. If you do go to 14 wards, I believe one ward would have to include both sections of the east side and the west side in order to make the numbers work out correctly. As I have tried to look at it, you probably could create one of the two new wards fairly easily by that area of Ward 6, 8 and 7 where they come together. You might be able to create one new ward easily there. As far as the other ward is concerned, I am not sure how you would get to that. It would be a difficult process, but it is obviously something that could be done. There is also the argument that could be made that by

having 14 wards every voter would be closer to the Alderman because instead of representing 9,000 people you would be representing 7,700. So I can see arguments on both sides of this. I haven't made up my mind as to which way I think it should go but I think it is something that we should certainly consider very seriously.

Alderman Shea stated my whole concept of being an Alderman is to provide constituency service. I think that is why we are elected. I believe that is the main issue that constituents look toward and they call for different concerns that require a lot of time and energy and I believe that the committee should at least keep an open mind in terms of 14 wards. I really believe that because we had, in previous years, 14 wards and as the City has gotten larger we have become smaller as a group and I believe, although we do have the two aldermen at-large, I do believe the constituency service is the most important reason why we are elected and I believe that we should look into that and not discard it as if it were something that obviously doesn't have any importance at all and I believe that the constituency that I have worked with have the same expression and idea and people who discuss different problems here obviously come in with the same type of concerns that they would like to have more direct contact with Aldermen. It is difficult for someone who has several thousand people to administer to. I don't see how they can do that and do a good job so I believe that 14 wards should be a consideration. Thank you.

Alderman Levasseur stated let me paint one scenario for you and I think this will make your decision easier. If we go to 14 wards, we are going to have 16 Aldermen sitting in these Chambers. Now I know you fought hard for 14 Aldermen and kept those two Aldermen At-Large but I would go with 12 wards. That is my argument to stay at 12 wards.

Alderman Wihby stated we already have 14 people here. There are 14 wards with the two at-large.

Alderman Cashin stated the way it was worded is that we recommend that we stay at 12. Why don't we just let the Committee decide?

Mayor Baines called for a vote on the motion to recommend that the City remain at 12 wards. There being none opposed, the motion carried.

Resolutions:

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the 2000 CIP 511500 Park Improvement Program."

"Amending the 2000 Community Improvement Program, authorizing and appropriating funds in the amount of Nine Thousand Two Hundred and Sixty Five Dollars (\$9,265) for the 2000 CIP #710200 Intersection Improvement Program."

"Amending the 2001 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Seven Thousand Eight Hundred Sixty Eight Dollars (\$27,868) for FY2001 CIP Health Department Projects."

On motion of Alderman Thibault, duly seconded by Alderman Pinard, it was voted to read by title only and it was so done.

On motion of Alderman Pariseau, duly seconded by Alderman Pinard, it was voted to suspend the rules and dispense with the readings by titles only.

On motion of Alderman O'Neil, duly seconded by Alderman Pinard, it was voted that the Resolutions pass and be Enrolled.

#### **TABLED ITEM**

18. Communication from Peter McDonough, Hillsborough County Attorney advising that his office does not have jurisdiction over the alleged charter violations, and, therefore, cannot render an opinion. Atty. McDonough further notes that Sections 8.15 and 9.04 of the City Charter contain certain procedures and mechanisms, which the Board can utilize in this instance.  
(Tabled March 20, 2001 pending Solicitor's Report.)  
(Note: report from City Solicitor enclosed.)

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to remove this item from the table.

On motion of Alderman Wihby, duly seconded by Alderman Pariseau, it was voted to receive and file this item.

#### **NEW BUSINESS**

Deputy Clerk Johnson asked for direction from the Board with regards to Finance meetings on the budget. The Board had decided that it wanted to meet on the benefits package and we scheduled that for April 30. The School District is scheduled for May 8, but we have not received any direction from the Board in terms of whether they want to see other departments.

Mayor Baines stated I have asked Mr. Robinson to work with Alderman Cashin to plug in the departments for all of those dates. We will start on Monday and we will have the other list ready to present to the Board on Monday for all of the meeting dates. Mr. Robinson is going to work with Alderman Cashin to establish the dates and it is going to be presented to the Board on Monday.

Deputy Clerk Johnson stated usually the Board decides who they want to see first.

Mayor Baines replied well we are going to do the recommendations with the Chair.

Alderman Cashin stated I just spoke to Wayne and I have suggested that we meet with departments with \$1 million or more and then we can discuss it.

Alderman Hirschmann stated I had made the recommendation at our last meeting that Blue Cross/Blue Shield being the biggest component, that we get to meet with them.

Deputy Clerk Johnson replied they are scheduled for April 30. That was the date that we set two or three meetings ago with the Board.

Alderman Wihby stated today I received a communication and I think everyone got it and it was from School Board Member Elise and I guess I was concerned. I read in the paper that we were being sued again by the School Committee and then I see that the School Committee never voted on doing something and I was wondering what was going on.

Mayor Baines replied I can tell you that there is some concern out there regarding that. I think it was based upon an earlier motion. Also attached were minutes of the meeting about the different lawsuits and it is the subject of a committee meeting with the Board I think tomorrow night and I have some very serious concerns about that because we were not notified. As Chairman of the School Board, I found out about it when the motion basically came over here to City Hall so I found out about it by surprise as well.

Alderman Wihby asked so as Chairman of the School Board and having School Committee members, it was decided by the Superintendent...does he have the authority to take the City to court.

Mayor Baines answered it is my understanding that the rationale for it was based on an earlier motion related to the issue of going to court to clarify the declaratory judgement issues.

Alderman Wihby asked it was voted.

Mayor Baines answered yes as it was voted here too. Both Boards voted to do that. I believe that is the basis for it. If you look at the minutes of the meeting that Committee member Elise submitted, she actually quotes from...

Alderman Wihby interjected all I have is one page.

Mayor Baines replied well I have the minutes of the meeting attached. It actually goes back to that motion on the declaratory judgement. I think that is a stretch on that motion. We have concerns about it and will be addressing it.

Alderman Levasseur stated I thought it was like maybe two or three meetings ago when I thought that this Board had really done a remarkable job...Alderman Cashin had led the way with Alderman Wihby in extending a really good faith hand to the School Board and this whole Board voted on it that we were going to settle our differences and work together on settling these issues and then to have to see that in the paper that because of an adverse ruling they just jumped and went right to court. Your honor I have seen you say it at the School Board meetings and you have said it before that you are outraged over the amount of money that the School Administration is spending on all of these legal expenses and here we go again throwing in legal expenses to take us to court for these issues and I don't know when it is going to stop but it is now getting out of hand when we are going to start going to court every single day. We are not supposed to be separate. They keep saying they are a separate district but it still comes out of the taxpayer's money and we are still one City.

Mayor Baines replied I concur with your comments.

Alderman O'Neil asked is it possible to get a breakdown of what has been spent, not only this fiscal year but in past fiscal years.

Mayor Baines answered yes. In fact the Union Leader made an inquiry recently and I faxed them all of those accounts because I have been following, as Alderman Levasseur mentioned, I have been speaking out about it at the meetings and I provided them with a list of consultant services and a lot of that is very legitimate within the special education realm, but I believe there has been too much money spent on legal services and financial consultant services.

Alderman O'Neil asked can we get a copy of that information.

Mayor Baines answered I will have it distributed to all of you.

Alderman Pariseau asked do you actually think they will do that, your Honor.

Mayor Baines replied do what.

Alderman Pariseau responded give you those figures.

Mayor Baines stated I have them.

Alderman Pariseau asked are they right.

Mayor Baines answered we believe they are. Let me get the information out to you because it has the exact amount of money and you can look through the different categories and come to your own conclusions.

Alderman Levasseur asked as far as requesting things from the School Board like the breakdown of...if we ask for breakdowns of certain costs do we have to request those through you.

Mayor Baines answered you can go through Wayne. We would like to do the same thing with the departments. The directions that we gave out last year were if you want information from the departments instead of having 14 people...go through Wayne and he can send it out to everybody so that everybody gets the same information. The same with the School District. You will have a budget book for the School District this week.

Alderman Wihby stated I gave Wayne a list of stuff that I am requesting that we get before the budget cycle. Basically it is the same set-up that you gave us for the City side with numbers from last year and this year.

Mayor Baines replied you will have all of the numbers and we will put it together in books and get it out to all of you.

Alderman Cashin stated I thought that Atty. Eggert and Tom Clark were meeting and discussing the problems. Now did they come to an impasse?

Mayor Baines replied no.

Alderman Cashin stated I took it upon myself to contact Mr. Tanguay and ask him personally if he would refrain from going to court until such time as they had a chance to work it out. He told me that there would be no court action. Now if they haven't come to an impasse, how come we have gone to court?

Mayor Baines replied I hate to tell you but we are going to be in court tomorrow morning. That is not true.

Alderman Cashin asked and the City Solicitor and Atty. Eggert are still meeting.

Mayor Baines answered that is correct.

Alderman Levasseur stated this is after we just gave them \$1.4 million. We have been with them and for them and trying as hard as we can to give them money and this stuff keeps going on. It is getting out of hand.

Mayor Baines replied I have said that continually. We are in court too much and this has to stop. I agree with you. There is money being wasted that could be spent on kids.

Alderman Levasseur stated I have one more point. It would be nice if somebody like yourself would...you know we get hand grenades thrown at us from all over the City. We get it thrown from the School Board that we are not for the schools and all of that and you see...you have been here now a year and a half, almost two years now and here we are working diligently trying in good faith to do these issues and to settle these things and to fix the school facilities and still again and again...we need somebody to step up and stand up for this Board once in awhile your Honor and I would appreciate if you would do that a little more often. I am not saying that in a bad way.

Mayor Baines stated I think I have done a pretty good job.

Alderman Levasseur replied I just keep hearing like last night and at the last two meetings all of these people keep thinking it is the Aldermen who keep throwing all of these stones. We are here working hard for the City.

Alderman Vaillancourt stated my comment was in line with Alderman Cashin's. I believe Alderman Gatsas made an amendment to that going on the ballot that they were to work until September 1 and I believe the amendment was that this will go on the ballot unless they come back and can't resolve it. Does this mean now that this is automatic and by the way I wish to congratulate as Alderman Levasseur did in his show last week the City Solicitor's Office for getting that favorable ruling from the Attorney General's Office. We don't congratulate you often enough over there, but congratulations. Does this mean that we are automatically going to the ballot now in November?

Mayor Baines replied I don't think we are ready to make that decision tonight. Let's see what happens with the court issue.

Alderman Vaillancourt stated I think if we go back to the wording of the motion it might mean that.

Mayor Baines replied we can take that up at another meeting.

Alderman Gatsas stated we received your budget on April 4. This Board is not going to take any action or look at anything until the end of April. Is that what I understand and

we are going to have some 45 days to do a \$200 million budget? Is there a reason why we are waiting this long? What is holding us up?

Alderman Cashin replied we were hoping to sit down with the School Board first and there is information that Alderman Wihby has requested that I feel is pertinent before we even meet with the School Board, however, if this Board would elect to meet with departments prior to meeting with the School Board that is fine with me. I don't have any problem with that. If you want to start meeting next Monday, we will meet next Monday.

Alderman Gatsas responded I am just wondering why we are waiting. We could wait for two months to get something from the School and then what would we do just adopt the Mayor's budget?

Alderman Cashin replied I didn't plan on waiting two months to be quite frank with you.

Mayor Baines stated actually I thought, as you know in my conversation, I thought we were starting next Monday.

Deputy Clerk Johnson stated I would just point out that there is a public hearing scheduled on April 23 and that is why we started the Finance Committee meetings on April 30.

Mayor Baines asked what is the public hearing on April 23.

Deputy Clerk Johnson answered it is on the building code.

Mayor Baines stated it is really up to the Board.

Alderman Gatsas asked do we really plan on meeting only once a week.

Alderman Cashin answered I will meet five days a week. It doesn't make any difference to me.

Mayor Baines asked do you want to try to schedule the insurance issues next week.

Deputy Clerk Johnson answered I think with the insurance the Human Resources Director has been contacting people to come in and provide information for that so you may want to check with Howard on that.

Mayor Baines asked do we need to leave that date then Howard.



Mr. Tawney answered I have already made arrangements for everybody to come in on April 30.

Mayor Baines asked what is available next week.

Deputy Clerk Johnson answered April 24 is open, which is Tuesday night. I don't know that the Mayor is available that night.

Alderman Pariseau asked why doesn't Alderman Cashin get together with the City Clerk to discuss it and send us a schedule.

Mayor Baines stated why don't we get together tomorrow morning – Wayne, myself, Alderman Cashin and Carol and we will work out a schedule.

Alderman Gatsas stated and I am sure that someone is going to get that schedule to MCTV so that they can do the presentations live.

Mayor Baines replied absolutely.

Mayor Baines stated I do have a correspondence and the reason I brought it to your attention is because I met with Dave Laughton and Bill Jabjiniak and I think he sent you a letter that basically explains where he is coming from. He doesn't want to get involved in the politics of the situation. He is making a good faith offer. He would sit down with us and discuss a lease purchase arrangements if we so desired. There is no commitment to it tonight but at least we could get the figures and come to the Board at the next meeting if you so desire.

Alderman Wihby moved to authorize Bill Jabjiniak to enter into discussions regarding a lease purchase with the Teamsters for the property on Maple Street. Alderman Pariseau duly seconded the motion for discussion.

Alderman Gatsas requested that Bill Jabjiniak come to a microphone. He asked the communication that we had with the Teamsters was it the same communication that we had with the owners of the Sears building?

Mr. Jabjiniak asked the communication with the Teamsters, the piece that you have in front of you.

Alderman Gatsas answered or any piece. Did you relate to them what the appraisal price was?

Mr. Jabjiniak stated no I have not.

Alderman Gatsas stated my point is that I believe that during that process with the Sears building when we were negotiating when somebody in good faith asked the question what was the appraisal on the property so that you could certainly get back to this Board a number that would be valid on whether somebody would accept a price, in negotiating usually you give somebody that appraisal figure. Now I understand that he asked three times what the appraisal figure was and for some reason, either yours or under direction of somebody else, you didn't give it to him.

Mr. Jabjiniak replied that is correct. He did ask the question what the appraised number was and I did not give it to him. If we were to negotiate, I didn't want to show my hand already.

Alderman Gatsas responded well I would assume that if the appraisal was higher, being in the real estate market for 14 years, if that appraisal figure was higher I probably would not have divulged that but where the appraisal was lower than what we were looking to pay for it, I certainly would have said to him the appraisal figure is less and are you willing to accept that.

Mr. Jabjiniak stated I did indicate to him that the appraised value was less than his asking price, but I did not give him a specific number.

Alderman Levasseur asked which building are we talking about, Alderman Gatsas.

Mayor Baines answered he is talking about the Sears building. Again, whatever you want to do but we need to bring some closure to them on this.

Alderman Shea stated I thought we were going to have a cooling off period. That is what you said the last time and now you come in with this tonight.

Mayor Baines replied I explained that he has talked to us and he just wants us to move forward on this.

Alderman Shea stated, your Honor, if you can't come in the front door you come in the back door. This is the same thing. We need a cooling off period you said. This isn't right to bring this up.

Mayor Baines replied you can vote it up or down. I have just presented it to you.

Alderman Levasseur stated if you do this then you are opening up the same thing for the Sears site because now they may want to sell this to us as a lease purchase and if that happens then we are going to start this whole rigmarole here about where we are going to

put the seniors and the seniors have made it loud and clear that they don't want to go to Maple Street.

Mayor Baines replied I will respect whatever decision you make. Mayor Baines called for a vote on the motion. A roll call vote was taken. Aldermen Wihby, Sysyn, Pinard, O'Neil, Lopez, Pariseau, Cashin, and Thibault voted yea. Aldermen Gatsas, Levasseur, Shea, Vaillancourt, and Hirschmann voted nay.

The motion carried.

Alderman Gatsas moved to authorize Mr. Jabjiniak to enter into discussions with the owners of the Sears building regarding a lease purchase. Alderman Vaillancourt duly seconded the motion.

Alderman Levasseur stated now we are going to have this guy who could be working on important things for downtown Manchester working on two negotiations for two buildings. We can't afford the other one...where are we going to get the money for this Maple Street property? We don't even have enough money to fix all of these other things that we want. I am going to vote no for this one.

Alderman Shea stated I sent to see another building the other day. Should I bring that one in also? Obviously there is a building on the corner of Chestnut and Orange Streets that I went over to see.

Alderman Hirschmann stated I just want to inform the Board that I was looking on the computer in the Assessor's Office at a parcel that has a beautiful building in Manchester that I would consider for a senior center and I will be bringing that one forward.

Mayor Baines called for a vote on the motion. The motion carried with Alderman Shea being duly recorded in opposition.

There being no further business to come before the Board, on motion of Alderman Pariseau, duly seconded by Alderman O'Neil, it was voted to adjourn.

A True Record. Attest.

City Clerk